without demand. *Palmer* v. *Palmer,* 36 Mich. 487. The statute of limitations runs against demand paper from the time of its date, if that is coincident with delivery. *Curran* v. *Witter,* 68 Wis. 16.

CONSTITUTIONAL LAW—POLICE POWER—ESTABLISHING A BUILDING-LINE.—A state statute authorized municipalities to make all building regulations at their discretion and to establish building-lines on any or all streets The council of the defendant city passed an ordinance giving power to the owners of two-thirds of the property on any street to decide upon the location of a building line on that street, and requiring the street commissioners to establish such line, not less than five nor more than thirty feet from the street. The owners of two-thirds of the property settled on a line fourteen feet from the street, and for failing to conform to this line the plaintiff in error was fined in accordance with the city ordinance. The constitutionality of the ordinance and of the statute under which it was enacted was attacked on the ground that it took property without due process of law. *Held* that the municipal ordinance requiring the establishment of a building-line upon request of owners of two-thirds of abutting property is not a valid exercise of the police power, and is therefore unconstitutional. *Eubank* v. *City of Richmond* (1912), 33 Sup. Ct. 76.

In disposing of this case the Supreme Court of the United States reversed the decision of the Supreme Court of Virginia, from which court the principal case was appealed. *Eubank* v. *City of Richmond,* 110 Va. 749, 67 S. E. 276, 19 Ann. Cas. 186. The Supreme Court was satisfied to rest its opinion upon the ground that it was unlawful to place the power of regulating the building-line in the hands of the property owners, and did not enter into the question as to whether the city itself could establish such a line. The Supreme Court of Virginia reached its conclusion on the latter ground, saying: "The statute is neither unreasonable nor unusual, and was passed in good faith in the interest of the health, safety, comfort or convenience of the public, and for the benefit of the property owners generally who are affected by its provisions. The fact that an æsthetic reason entered into the enactment of the statute did not invalidate it." But the soundness of the Virginia court's reasoning is questionable. Restrictive legislation relative to the use of one's property for building purposes has often been before the courts. It is constitutional to divide a city into sections and prescribe the height of buildings in each section. *Welch* v. *Swasey,* 193 Mass. 364, 79 N. E. 745, 118 Am. St. Rep. 523, Affd. in 214 U. S. 91; *People* v. *D'Oench,* 111 N. Y. 359, 18 N. E. 862. Parties can be required to secure building permits. *Hasty* v. *Huntington,* 105 Ind. 540, 5 N. E. 559; *Commissioners* v. *Covey,* 74 Md. 262, 22 Atl. 266. Fire zones can be established and the nature of building material restricted. *Eureka* v. *Wilson,* 15 Utah 53, 48 Pac. 150; *King* v. *Davenport,* 98 Ill. 305. But under a statute granting the power to regulate buildings an ordinance compelling a builder to make his building conform in general character to those previously built is unauthorized. *Bostock* v. *Sams,* 95 Md. 400, 52 Atl. 665, 93 Am. St. Rep. 394. It has been held that a building-line can be established by a municipality. *Berger* v. *Hurley,* 73 Conn. 536, 48 Atl. 215; *Nor-*

throp v. *Waterbury,* 81 Conn. 305, 70 Atl. 1024. And especially is this true where the line is fixed for the purpose of widening the street. *Widening of Chestnut St.,* 118 Pa. St. 593, 12 Atl. 583; *Bornot* v. *Bonschur,* 202 Pa. St. 463. Yet in *St. Louis* v. *Hill,* 116 Mo. 527, 22 S. W. 861, 21 L. R. A. 226, where the question was considered at length, it was held such legislation was the taking of property without due process of law, saying: "If the city were allowed to deprive the defendant of the use of his entire lot it would leave in his hands but a barren and barmecidal title, and what is true of property rights as an integer is true of each fractional portion." It would seem that the view of the Missouri court is correct, since the establishment of such lines in the resident section of a city is based on æsthetic grounds, and such reasons are not valid. "The courts of the country have uniformly held that the police power cannot interfere with private property rights for purely æsthetic purposes."*Haller Sign Works* v. *Physical Culture Training School,* 249 Ill. 436, 94 N. E. 920; DILLON MUNICIPAL CORPORATIONS, §695; 66 CENT. L. JOUR. 443. But there is authority that the increasing æsthetic sentiment relative to civic pride and beauty may sanction such practice. 20 HARV. L. REV. 35.

CONTRACT—ILLEGAL—PUBLIC POLICY.—Defendant engaged plaintiff, who was a private detective, to enter his factory as an employee for the purpose of procuring evidence of larceny and embezzlement of goods, his compensation being made contingent upon the apprehension and reporting of guilty persons. Plaintiff performed this service and brings an action to recover under the contract. *Held* that a contract to pay for collecting testimony to be used in evidence, coupled with a condition that the contractee's right to compensation shall be contingent on the result of the suit, is illegal and contrary to public policy.—*Manufacturers' and Merchants' Inspection Bureau* v. *Everwear Hosiery Co.* (Wis. 1912), 138 N. W. 624.

Contracts to procure testimony based on contingent compensation are quite generally held to be contrary to public policy for the reason that such agreements hold out an inducement to commit fraud or induce persons to commit perjury. *Goodrich* v *Tenney,* 144 Ill. 422, 33 N. E. 44, 36 Am. St. Rep. 459; *Getchell* v. *Welday & Reynolds,* 4 Ohio Dec 113; *Lucus* v. *Allen,* 80 Ky. 681; *Patterson* v. *Donner,* 48 Cal. 369; *Thomas* v. *Caulkett,* 57 Mich. 392, 24 N. W. 154, 58 Am. Rep. 369; *Casserleigh* v. *Wood,* 119 Fed. 308, 56 C. C. A. 212. See notes on this question in 13 Ann. Cases 213, 33 L. R. A. (N. S.) 87, and 36 Am. St. Rep. 459. In *Wilmoth* v. *Hensel,* 151 Pa. 200, 25 Atl. 86, the court held it was not against public policy to offer a reward for conviction of offenses thereafter committed against election laws, and allowed recovery on such an offer. Rewards offered by newspapers for information resulting in the conviction of persons guilty of violating the election laws would seem to be illegal under the authorities cited, sustaining the view held in the principal case. The New York court in *Wellington* v. *Kelly,* 84 N. Y. 543, held that not every agreement made by a third person to furnish evidence in litigation for compensation contingent upon the result was illegal, and sustained such a contract where the evidence was chiefly of a documentary nature.